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TOWNSEND AND TOWNSEND AND CREW LLP

By:

Claudia Chang

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Patricia A. Duffy
PATENT
018941-000411US
6/24/02
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

STEPHENS et al.

Application No.: 09/438,185

Filed: November 11, 1999

For: CHLAMYDIA PNEUMONIAE
GENOME SEQUENCE

Examiner: Duffy, Patricia A.

Art Unit: 1645

COMMUNICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office communication mailed May 9, 2002, applicants hereby notify Examiner Patricia A. Duffy, Ph.D. that the proper response to the Office Action mailed August 28, 2001 was indeed filed on February 28, 2002. Copies of the documents as filed, including the Transmittal Form, Fee Transmittal for FY 2001 and Amendment with Version With Markings to Show Changes Made are being provided herewith. Also enclosed is a copy of the filing acknowledgment postcard which confirms receipt of these documents on March 13, 2002 by the Patent and Trademark Office.

Additionally, the Monthly Statement of Deposit Account dated March 29, 2002 confirms that the \$920.00 3-month extension fee was deducted and posted on March 18, 2002 with a control number of 149.



STEPHENS et al.
Application No. 09/438,185
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Applicants respectfully request that the previous submission of the Office Action filed on February 28, 2002, as charged to Deposit Account No. 20-1430, be accepted and considered timely filed to avoid abandonment of the application.

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Respectfully submitted,


Kevin Bastian
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP
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San Francisco, California 94111-3834
Tel: (415) 576-0200/ Fax: (415) 576-0300
KLB:clc
SF 1348593 v1



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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Account No.	201430
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Page	38

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3	18	02	251	1662.00 PCT/US02/06732	18062C-39-1P	150	240.00	812465.65
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FILING ACKNOWLEDGMENT
US PATENT AND TRADEMARK OFFICE

Mailing Date: 02/28/02 Attorney: KLB/jrc
Date Due: 11/28/01 Appln 09/438,185

File No.: 018941-000411US

Inventor(s): Stephens et al.

Title: CHLAMYDIA PNEUMONIAE GENOME SEQUENCE

Enclosures: Transmittal Form PTO/SB/21 (1 pg. + 1 pg. copy), Fee Transmittal
PTO/SB/17 (1 pg. + 1 pg. copy) with authorization to charge Deposit
Account No. 20-1430 in the amount of \$920 (extension of time);
Amendment (4 pgs.), Version with Markings to Show Changes Made
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Postcard (this one).



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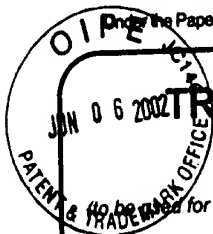
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/438,185
Filing Date	November 11, 1999
First Named Inventor	Stephens, Richard S.
Group Art Unit	1645
Examiner Name	Duffy, Patricia A.
Attorney Docket Number	018941-000411US

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Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

☒ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☒ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s)

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Kevin Bastian	Reg. No. 34,774
Signature		
Date	February 28, 2002	

CERTIFICATE OF MAILING

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SF 1320709 v1



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete If Known

Application Number 09/438,165
Filing Date November 11, 1999
First Named Inventor Stephens, Richard S.
Examiner Name Duffy, Patricia A.
Group Art Unit 1645
Attorney Docket No. 018941-000411US

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1. BASIC FILING FEE		Fee Description	
Large Entity Fee Code (\$)		Fee Paid	
Small Entity Fee Code (\$)			
Fee Description			
101 740 201 370 Utility filing fee			
106 330 206 165 Design filing fee			
107 510 207 255 Plant filing fee			
108 740 208 370 Reissue filing fee			
114 160 214 80 Provisional filing fee			
SUBTOTAL (1)		920	
2. EXTRA CLAIM FEES			
Total Claims -20** =		Extra Claims X Fee from below =	
Independent Claims -3** =		X =	
Multiple Dependent		X =	
Large Entity Fee Code (\$)		Fee Description	
Small Entity Fee Code (\$)			
Fee Description			
103 18 203 9 Claims in excess of 20			
102 84 202 42 Independent claims in excess of 3			
104 280 204 140 Multiple dependent claim, if not paid			
109 84 209 42 ** Reissue independent claims over original patent			
110 18 210 9 ** Reissue claims in excess of 20 and over original patent			
SUBTOTAL (2)		(\$)	
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Name (Print/Type)	Kevin Bastian	Registration No. (Attorney/Agent)	34,774	Telephone	415-576-0200
Signature		Date	February 28, 2002		

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